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MM Docket No. 00-216
RM-9995
RM-10066

Released: April 27, 2001

3. In its counterproposal, CCN requests that Channel 236C3 be reserved for noncommercial use at McKinleyville because there are no channels available in the noncommercial educational FM band due to TV Channel 6 restrictions. CNN argues that there is not need for an additional channel in the

² See Report No. 2465 (February 13, 2001).

Eureka-Arcata Metropolitan Area and that the Commission should not consider petitioner's request. Petitioner responds that this counterproposal should not be considered because it contains no engineering showings to support its allegations of TV 6 restrictions. Petitioner also states that there are other commercial channels available for allotment at McKinleyville that can be reserved for noncommercial use, and suggests that the Commission allot two channels at McKinleyville and reserve one for noncommercial educational use.

4. We believe that the public interest will be served by allotting two channels at McKinleyville and reserving one channel for noncommercial educational use. These allotments will provide McKinleyville, a community of over 10,000 persons, with its first and second local aural transmission services. Our engineering analysis confirms that TV Channel 6 does restrict use of the reserved FM band at McKinleyville. Since Channel 277C3 is also available for allotment at McKinleyville in addition to Channel 236C3, we will allot both channels. We consider CCN's counterproposal to be an expression of interest in any channel that we allot and reserve for noncommercial use.

5. Channel 236C3 can be allotted at McKinleyville consistent with the minimum distance separation requirements of Section 73.207(b) and the principal community coverage requirements of Section 73.315(a) of the Commission's without a site restriction.³ We will allot Channel 277C3 at McKinleyville with a site restriction of 18.1 kilometers (11.2 miles) north of the community and reserve it for noncommercial educational use.⁴

6. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 11, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED with respect to the communities listed below, as follows:

<u>City</u>	<u>Channel No.</u>
McKinleyville, California	236C3, *277C3

7. Filing windows for Channels 236C3 and *277C3 at McKinleyville, California will not be opened at this time. Instead, these issues will be addressed by the Commission in a subsequent *Order*.

8. IT IS FURTHER ORDERED That this proceeding IS TERMINATED.

³ The coordinates for Channel 236C3 at McKinleyville are 40-56-42 NL and 124-05-54 WL.

⁴ The coordinates for Channel 277C3 at McKinleyville are 41-06-11 NL and 124-09-00 WL.

9. For further information on this proceeding contact Victoria M. McCauley (202) 418 2180. For information on the application and auction process contact Audio Services Division (202) 418 2700.

FEDERAL COMMUNICATIONS COMMISSION

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